

CITY COUNCIL, DECEMBER 7, 2005

CITY COUNCIL CHAMBERS

3rd FLOOR, CITY HALL

7:00 PM

137 ROOSEVELT AVENUE

PAWTUCKET, RHODE ISLAND

PRE-COUNCIL AGENDA

**5:00 PM – CLAIMS COMMITTEE - A PORTION OF THE MEETING MAY
BE HELD IN EXECUTIVE SESSION**

**Pursuant to Section 42-46-4 & Section 42-46-5 (A)(2) of the
General Laws of Rhode Island regarding pending litigation**

6:30 PM – ANIMAL CONTROL COMMITTEE

6:45 PM – PRE-COUNCIL – JOHN HAIDEMENOS, JR. –

NATIONAL DISTINGUISHED PRINCIPAL AWARD

**6:45 PM – PRE-COUNCIL – TYLER TECHNOLOGIES/CLT -
REVALUATION**

6:45 PM – PUBLIC INPUT PERIOD

6:45 PM – BOARD OF LICENSE COMMISSIONERS

**7:00 PM – PUBLIC HEARING – AN ORDINANCE IN AMENDMENT OF
CHAPTER 410**

**OF THE CODE OF ORDINANCES OF THE CITY OF
PAWTUCKET, 1996,**

ENTITLED “ZONING” (Soil Erosion and Sediment Control)

SUBSTITUTE A

**7:00 PM – PUBLIC HEARING – AN ORDINANCE IN AMENDMENT OF
CHAPTER 410**

**OF THE CODE OF ORDINANCES OF THE CITY OF
PAWTUCKET, 1996,**

**ENTITLED “ZONING” (Post Construction-Storm Water
Control) SUBSTITUTE A**

**7:00 PM – PUBLIC HEARING – AN ORDINANCE IN AMENDMENT OF
CHAPTER 335**

**OF THE CODE OF ORDINANCES OF THE CITY OF
PAWTUCKET, 1996,**

**ENTITLED “SEWERS” (Illicit Discharge Detection and
Elimination)**

SUBSTITUTE A

**7:00 PM – PUBLIC HEARING – AN ORDINANCE IN AMENDMENT OF
CHAPTER 2703**

**OF THE ORDINANCES OF THE CITY OF PAWTUCKET,
RHODE ISLAND,**

AMENDING THE 2003 COMPREHENSIVE PLAN.

7:00 PM – CITY COUNCIL

PUBLIC HEARING

CONVENED _____ PM

**AN ORDINANCE IN AMENDMENT OF CHAPTER 410 OF THE CODE
OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED
“ZONING” (Soil Erosion and Sediment Control) SUBSTITUTE A**

ADJOURNED_____PM

PUBLIC HEARING

CONVENED_____PM

**AN ORDINANCE IN AMENDMENT OF CHAPTER 410 OF THE CODE
OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED
“ZONING” (Post Construction-Storm Water Control) SUBSTITUTE A**

ADJOURNED_____PM

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PUBLIC HEARING

CONVENED_____PM

**AN ORDINANCE IN AMENDMENT OF CHAPTER 335 OF THE CODE
OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED
“SEWERS” (Illicit Discharge Detection and Elimination) SUBSTITUTE
A**

ADJOURNED_____PM

PUBLIC HEARING

CONVENED_____PM

**AN ORDINANCE IN AMENDMENT OF CHAPTER 2703 OF THE
ORDINANCES OF THE CITY OF PAWTUCKET, RHODE ISLAND,
AMENDING THE 2003 COMPREHENSIVE PLAN.**

ADJOURNED_____PM

DOCKET

CONVENED_____PM

Previous Minutes

1. *CONSENT AGENDA

2. *CORRESPONDENCE

A. Communication from David L. Quinn, II, Tax Assessor to Janice M. LaPorte, CMC, City Clerk, (Tyler Technologies (CLT) – Scheduled Pre-Council on Real Estate Revaluation)

B. Communication from Ronald L. Wunschel, Director of Finance, to the Honorable Members of the Pawtucket City Council, (Statement of Estimated, Realized and Unrealized Revenues, for the fiscal period July 1, 2005, through October 31, 2005)

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C. Communication from Jeannine S. Bourski, Deputy Finance Director to Donald R. Grebien, President, Pawtucket City Council, (Uniform Overtime)

D. Communication from Ruben Barrales, Deputy Assistant to the President and Director of Intergovernmental Affairs to Janice M. LaPorte, CMC, City Clerk, (Medicaid Resolution)

E. Communication from Jodi P. LaCroix, CMC, Charlestown Town Clerk to the Pawtucket City Council, (Resolution Opposing Electric Rate Increases)

F. Communication from Ronald L. Wunschel, Director of Finance to Donald Grebien, President, Pawtucket City Council, (Real Estate Taxes on Former Registry Building)

G. Communication from Dr. Hans W. Dellith, Superintendent of Schools to the Pawtucket Times, (Response to Article “Brokering School Budget”)

H. Communication from Jeannette Holloway, North Kingstown Acting Town Clerk to Pawtucket City Council, (Resolution in Support of the Lyme and Tick-Borne Disease Prevention, Education, and Research Act of 2005)

I. Communication from the Rhode Island Clean Water Finance Agency to the City of Pawtucket, (Revolving Fund Program Project Payment Requisition Form)

J. Communication from David A. Strauss, President of Key Container to Janice M. LaPorte, CMC, City Clerk, (Request to Set Up Meeting Regarding Ordinance – Trucking on Campbell Street)

K. Communication from Donald R. Grebien, President, Pawtucket City Council to Michael D. Cassidy, Director of Planning and Redevelopment, (Skateboard Park)

L. Communication from Mayor James E. Doyle to the Honorable Members of the Pawtucket City Council, (Skateboard Park)

M. Communication from Robert J. Ameen, Esq. to Pawtucket City Clerk, (Best Taste Chinese Restaurant LLC Petition for 1st Class Victualling House License)

N. Communication from Donald R. Grebien, President, Pawtucket City Council to Alan J. Tenreiro, Pawtucket School Chairperson, (School Budget/Meeting of November 28, 2005)

O. Communication from Ronald L. Wunschel, Director of Finance to Donald R. Grebien, President, Pawtucket City Council, (School Department FY06 Budget and State Municipal Affairs)

P. Communication from George L. Kelley, III, Chief of Police to Janice M. LaPorte, CMC, (Drive-Thru Service Windows)

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3. SHOW CAUSE HEARING

AUTO REPAIR SHOP & SECOND HAND SHOP CLASS B (Selling Used Automobiles and Parts) -

***Mario Jimenez d/b/a Fonseca A/S, 263 Dexter St. LIC#30265 #40277**

- 1. License approved on a 12 month conditional basis.**
- 2. There shall be a three month review of the business operation with the neighbors.**
- 3. The hours of operation shall be as follows:**
 - a. 9:00 a.m.-5:00 p.m. for auto repair – Monday-Friday**
 - b. 9:00 a.m.-7:00 p.m. for auto sales-Monday-Friday**
 - c. 10:00 a.m.-3:00 p.m. for auto sales-Saturdays – No auto repair**
 - d. No operation on Sundays or Holidays.**
- 4. Owner shall provide, in writing, off-street parking arrangement with neighbor. Agreement shall be presented to the City Clerk within 30 days.**
- 5. No parking on Dexter Street.**
- 6. Towing allowed during business hours only 9:00 a.m.-5:00 p.m. M-F. No Saturdays.**
- 7. Rear of building shall be clear of all vehicles at all times.**
- 8. No parking on Dexter Court.**
- 9. No painting or auto body work allowed.**
- 10. Outside premises to be kept clean and free of parts and debris.**
- 11. No more than 12 vehicles shall be allowed to park in front of property.**
- 12. The owner of business shall monitor customer parking.**
- 13. No road testing on Dexter Court**
- 14. No repair allowed outside.**

15. No motorcycle repairs allowed at any time.

16. Keep rear doors closed at all times.

4. Communication from Ronald F. Travers, Director, Zoning and Code Enforcement to Donald R. Grebien, President and Pawtucket City Council Members, (44 Paulhus Court)

5. Communication from Marjorie Nashawaty, 44 Paulhus Court to Donald Grebien, President Pawtucket City Council, (Request to Allow Fence to Remain in Place)

6. Communication from Margaret M. Lynch-Gadaleta, Esq., City

Solicitor to Janice M. LaPorte, CMC, City Clerk, (Two Drafts - Daggett Delights Lease) TO BE REFERRED TO CITY PROPERTY COMMITTEE.

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7. Communication from John E. Carney, Director of Public Works to Pawtucket City Council, (Support for Renewal of Lease for Project Pride Inc. to Operate Concessions at Slater Memorial Park) TO BE REFERRED TO CITY PROPERTY COMMITTEE.

8. Communication from Susan L. Reed, Director, Pawtucket Public Library to Donald R. Grebien, Council President and Members of the City Council, (Draft Lease with Major Electric Supply, Inc.) TO BE REFERRED TO THE CITY PROPERTY COMMITTEE.

9. Communication from Margaret M. Lynch-Gadaleta, Esq., City Solicitor to Susan L. Reed, Director, Pawtucket Public Library, (Parking Lot Lease – Between Library and Major Electric) TO BE REFERRED TO THE CITY PROPERTY COMMITTEE.

10. RESOLUTION CONGRATULATING JOHN HAIDEMENOS, JR. FOR BEING HONORED AS THE 2005 RHODE ISLAND ELEMENTARY SCHOOL PRINCIPAL OF THE YEAR AND AS A 2005 NATIONAL DISTINGUISHED PRINCIPAL, AND THANKING HIM FOR ALL HE DOES TO HELP PREPARE THE FUTURE GENERATIONS OF LEADERS IN THE CITY OF PAWTUCKET.

ROLL CALL AYES_____ NOES_____

11. RESOLUTION ACCEPTING THE CARE OF BURIAL LOT OF DOMINGOS DAGRACA.

ROLL CALL AYES_____ NOES_____

12. Communication from Jeannine S. Bourski, Deputy Finance Director to the Pawtucket City Council, (FY06 Equipment Lease Request)

13. THE FOLLOWING RESOLUTION TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE/PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, FUNDING OF THE FY2006 LEASE PURCHASE EQUIPMENT LIST PLUS RELATED EXPENSES, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

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**14. THE FOLLOWING RESOLUTION TO BE LAID ON THE TABLE AND
REFERRED TO THE FINANCE COMMITTEE.**

**RESOLUTION APPROVING THE FUNDING OF THE FOLLOWING
EQUIPMENT AS PART OF THE 2 YEAR MASTER LEASE PURCHASE
PROGRAM WITH BANC OF AMERICA LEASING AND CAPITAL, LLC.**

**15. Communication from David L. Quinn, II, Tax Assessor, to the
Honorable Members of the Pawtucket City Council. (Tax Abatements
for July, August and September 2005)**

16. THE FOLLOWING RESOLUTION TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE:

RESOLUTION AUTHORIZING THE ABATEMENT OF TAXES ON MOTOR VEHICLES, REAL ESTATE AND TANGIBLE PERSONAL PROPERTY FOR JULY, AUGUST AND SEPTEMBER, 2005 IN THE SUM OF \$290,876.75.

17. AN ORDINANCE REPEALING AND REPLACING SECTION 363-27, 28, 29, 30, AND 31 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED "DELINQUENT PROPERTY TAXES"

FOR SECOND PASSAGE

ROLL CALL AYES_____ NOES_____

**18. THE ORDINANCE COMMITTEE RETURNS THE FOLLOWING
ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 410 OF THE CODE
OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED
“ZONING” (Soil Erosion and Sediment Control) SUBSTITUTE A**

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

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**19. THE ORDINANCE COMMITTEE RETURNS THE FOLLOWING
ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

AN ORDINANCE IN AMENDMENT OF CHAPTER 410 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED “ZONING” (Post Construction-Storm Water Control) SUBSTITUTE A

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

20. THE ORDINANCE COMMITTEE RETURNS THE FOLLOWING ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:

AN ORDINANCE IN AMENDMENT OF CHAPTER 335 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED “SEWERS” (Illicit Discharge Detection and Elimination) SUBSTITUTE A

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

21. THE ORDINANCE COMMITTEE RETURNS THE FOLLOWING ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:

AN ORDINANCE IN AMENDMENT OF CHAPTER 2703 OF THE ORDINANCES OF THE CITY OF PAWTUCKET, RHODE ISLAND, AMENDING THE 2003 COMPREHENSIVE PLAN.

FOR FIRST PASSAGE

ROLL CALL AYES_____ NOES_____

22. THE ANIMAL CONTROL COMMITTEE SUBMITS THE FOLLOWING ORDINANCE TO BE TABLED ON THE TABLE:

AN ORDINANCE IN AMENDMENT OF CHAPTER 116 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED “ANIMALS” – ESTABLISHING SPAY OR NEUTER REQUIREMENTS FOR CATS IN THE CITY OF PAWTUCKET.

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23. Communication from Ronald L. Wunschel, Director of Finance to the Honorable Members of the Pawtucket City Council, (Requesting Approval for a “Recruitment Testing Fund”)

24. THE FOLLOWING ORDINANCE TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.

AN ORDINANCE ESTABLISHING A RECRUITMENT TESTING FUND.

25. Communication from Ronald L. Wunschel, Director of Finance to Donald R. Grebien, President, Pawtucket City Council, (July 1, 2004 Actuarial Valuation)

26. THE FOLLOWING ORDINANCE TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.

AN ORDINANCE IN AMENDMENT OF CHAPTER 59-28 OF THE REVISED ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED “CITY’S CONTRIBUTION TO THE POLICE AND FIRE PENSION FUND”

27. PETITION FOR LICENSE:

VICTUALLING HOUSE LICENSE (First Class) NEW

**Juventude Caboverdeana Soccer Club, 593 Weeden St., Unit-9,
LIC#00759**

28. *PETITIONS FOR LICENSES:

PEDDLER Renewal –

**Norman E. Benoit Jr., d/b/a Norm Catering, 15 Surrey Drive, Johnston,
RI, LIC# 16**

TO PEDDLE: Food

DRIVER: Norman E. Benoit Jr., 15 Surrey Drive, Johnston, RI

LOCATION: All Streets in Pawtucket

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Celestino V. Couto, 274 California Avenue, Providence, RI, LIC# 61

TO PEDDLE: Seafood

DRIVER: Celestino V. Couto, 274 California Avenue, Providence, RI

LOCATION: All Streets in Pawtucket

VICTUALLING HOUSE LICENSE - First Class NEW

Best Taste Chinese Restaurant LLC d/b/a Great Taste, (Previously Hui Y Zhang d/b/a Best Taste Chinese Restaurant) 856 Newport Ave., LIC#00762

VICTUALLING HOUSE LICENSE – First Class NEW

Pawtucket Avenue Donuts Inc., d/b/a Dunkin Donuts, 394 Pawtucket Ave., LIC#00760

VICTUALLING HOUSE LICENSES (FIRST CLASS) RENEWALS

Caprichos Antioquenos Bakery, Inc., 173 Lonsdale Ave. LIC#00249

**J & C Pizza LLC d/b/a Pepperonis of Pawtucket, 392 Cottage St.
LIC#00730**

**Patricia Ferreira d/b/a Ricotti's Sandwich Shop, 614 Central Ave.
LIC#00761**

***Harvest Soup and Deli, Inc. d/b/a Harvest Soup and Deli, 877 Central
Ave. LIC#00575**

**1. Place two small tables against the property on 877 Central Avenue.
Sing L. Kwok d/b/a New Shanghai Chinese Food, 50 Ann Mary St.
LIC#00541**

**Newport Avenue Donut Inc., d/b/a Dunkin Donuts, 105 Cedar St.
LIC#00404**

Philopateer LLC d/b/a Master Pizza, 881 Central Ave. LIC#00712

**Project Pride Inc., (Ice Cream Concession) d/b/a Daggett Delights, 9
Slater Park, LIC#00608**

**Project Pride Inc., (Fast Food) d/b/a Daggett Delights, 9 Slater Park,
LIC#00610**

**Project Pride Inc., (Seafood) d/b/a Daggett Delights, 9 Slater Park,
LIC#00609**

**Rabia Inc., d/b/a Pawtucket Food Mart, 755 Mineral Spring Ave.
LIC#00708**

R S L Inc., d/b/a Ron's Pizza Palace, 555 Armistice Blvd. LIC#00319

Raymond Saad d/b/a Ramon's Pizza, 171 Pawtucket Ave. LIC#00657

Antoine Salameh d/b/a Phoenicia, 506 ½ Armistice Blvd. LIC#00631

The Stop & Shop Supermarket Company, 675 Beverage Hill Ave.

LIC#00185 OPEN 24 HOURS

Georgios Stratis d/b/a/ House of Pizza, 206 Division St. LIC#00186

Juan Luis Tavera d/b/a Dominican-Supermarket, 339 Weeden St.

LIC#00589

Thrifty Store Inc., d/b/a J and L Superstores, 562 Broadway,

LIC#00340

Margaret Verkay d/b/a Extreme Donuts, 200 Main St. LIC#00626

TATTOO PARLOR (Renewal)

Regina Stabinsch d/b/a Body Vogue, 818 Newport Ave. LIC#T0003

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29. *THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY TO BE REFERRED TO THE COMMITTEE ON CLAIMS AND PENDING SUITS:

Pamela Driver - \$1,205.04/\$1,314.81

Joseph Faulder - \$550.00

Sendy Gonzalez - \$1543.57/\$2209.06

Lucille LeBlanc - Pending Estimates

Benny Rosado - \$3,665.21

Suzanne Rigley - \$1,295.00

Bradford Southworth - \$1,000.00

Charles Sprague - \$400.00

Craig S. Wilson by Amica Insurance - \$645.65

30. THE COMMITTEE ON CLAIMS AND PENDING SUITS RETURNS THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY:

POTHOLES:

Ian Beauregard - \$456.88/\$466.72

Judith-Ann DiGiorgio - \$233.28

Christine Francis - \$3,081.27/\$3,223.08

Robert Leighton - \$196.33/\$220.28

Robert Marshall – Pending Estimates

Kerri McNamara - \$103.14

Deborah Pinto - \$209.99/\$220.86

Gilbert Tavares - \$357.35/\$372.15

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SEWER CLAIMS DUE TO STORMS:

Bob Fitton - \$1,541.92

Armando Henao - \$6,670.00

Veronica Jaramillo - \$544.19

Hemant-Ehansa Patel – Pending Estimates

Julio Pina - \$3,200.00

Jose Rodriguez - \$2,372.55

Charles Thibeault - \$2,342.15/\$2,363.70

ACCIDENTS INVOLVING CITY VEHICLES:

Cox Communication - \$4,667.07

Verizon - No Amount Specified

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MISCELLANEOUS:

Alfred Conti - \$1,473.48

Jose Garcia by Robert M. Ferrieri, Esq. – No Amount Specified

Sandra Granada – Pending Estimates

Michele Rider - \$1,600.00/\$1,800.00

RI Department of Transportation by Charles D. Wick, Esq. - \$371,529.11

Mrs. William Savage - \$6,250.00

Maria Sostre as parent of Jorge Santana, by Jimmy Burchfield, Jr., Esq. - \$25,000.00

Andrew Spingarn by Travelers Insurance - \$2,399.26

Ricardo Tavares by Michael Drywa, Jr., Esq. – No Amount Specified

Timothy Trudell - \$1,561.67/\$1,846.14

ADJOURNED _____ P.M.